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ON SIGNATURE PAGE]**

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**Attorneys for Defendant**  
**ABBOTT LABORATORIES**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

	No. C-04-1511 CW
IN RE ABBOTT LABS NORVIR	)
ANTITRUST LITIGATION	) <b>STIPULATION BY PARTIES PROPOSING</b>
	) <b>SECOND MODIFIED LITIGATION</b>
	) <b>SCHEDULE AND ORDER THEREON <b>AS</b></b>
	) <b>MODIFIED</b>
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**RECITALS**

WHEREAS, pursuant to an earlier Stipulation of the parties dated September 14, 2006, approved by an Order of the Court dated September 22, 2006, the Court approved a modified litigation schedule that had been agreed to by the parties;

WHEREAS, the Court also issued an order on September 25, 2006 adopting the schedule that was the subject of the court-approved stipulation on September 22, 2006;

WHEREAS, the parties agree that both the parties and the Court would benefit from a modest extension of the current schedule so that all discovery may be completed in a thorough and timely manner and, consistent with that agreement, the parties have consented to a modification of the existing schedule subject to court-approval; and

WHEREAS, the following chart shows the existing calendar and compares it with the parties' new proposed calendar:

EVENT	CURRENT CALENDAR	PROPOSED JUNE 30 TRIAL DATE CALENDAR
Last Day To File Motions To Compel	06/18/07 (15 days following June 1, 2007)	08/31/07
Opening Expert Disclosure and Reports	07/02/07	09/26/07
Rebuttal Expert Disclosure and Reports	08/01/07	10/24/07
Completion of Expert Discovery	08/31/07	11/20/07
Last Day to file Abbott's dispositive motions & brief in support of Abbott's claims construction (1 brief)	09/10/07	01/09/08
Last Day to file Plaintiffs' opposition brief and cross-motion (1 brief)	10/19/07	02/13/08
Last Day to file reply in support of Abbott's dispositive motions/claims construction and opposition to cross-motion	11/02/07	02/25/08
Last Day to file reply in support of Plaintiffs' cross-motion (dispositive motion/claims construction)	11/09/07	03/06/08
Hearing on Summary Judgment and Claims Construction	11/29/07 10:00 a.m.	03/20/08 10:00 a.m.
Final Pretrial Conference	02/26/08 2:00 p.m.	06/17/08 2:00 p.m.
Jury Trial	03/10/08	06/30/08

**STIPULATION**

NOW, THEREFORE, it is hereby stipulated among the parties that, subject to approval by the Court, the parties agree to the following revised proposed schedule:

EVENT	REVISED CALENDAR
Last Day To File Motions To Compel	08/31/07
Opening Expert Disclosure and Reports	09/26/07
Rebuttal Expert Disclosure and Reports	10/24/07
Completion of Expert Discovery	11/20/07
Last Day to file Abbott's dispositive motions & brief in support of Abbott's claims construction (1 brief)	01/09/08
Last Day to file Plaintiffs' opposition brief and cross-motion (1 brief)	02/13/08
Last Day to file reply in support of Abbott's dispositive motions/claims construction and opposition to cross-motion	02/25/08
Last Day to file reply in support of Plaintiffs' cross-motion (dispositive motion/claims construction)	03/06/08
Hearing on Summary Judgment and Claims Construction	03/20/08 2:00 p.m.
Final Pretrial Conference	06/17/08 2:00 p.m.
Jury Trial	06/30/08

All other orders governing pretrial preparation remain in effect.

Dated: June \_\_\_\_, 2007

Respectfully submitted,

**BERMAN DEVALERIO PEASE TABACCO  
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1 Dated: June \_\_\_, 2007

Respectfully submitted,

2 **WINSTON & STRAWN**

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9 **Attorneys for Defendant**  
10 **ABBOTT LABORATORIES**

11 **ORDER**

12 IT IS SO ORDERED, **EXCEPT THE HEARING ON 3/20/08 WILL BE AT 2:00 P.M.**

13 Dated: July 2, 2007

14 

15 United States District Judge